

**LOUISVILLE METRO AIR POLLUTION CONTROL DISTRICT
PRELIMINARY REGULATORY IMPACT ASSESSMENT**

REGULATION 2.16
TITLE V OPERATING PERMITS
AND
REGULATION 2.17
FEDERALLY ENFORCEABLE DISTRICT ORIGIN OPERATING PERMITS

FEBRUARY 20, 2013

Purpose of the Draft Proposed Action:

On July 24, 2012, the District issued an advance Notice of Proposed Rulemaking (NPR) describing proposed revisions to the District's current Part 2 permitting regulations, including Regulations 2.16, *Title V Operating Permits*, and 2.17, *Federally Enforceable District Origin Operating Permits*.

As explained in the NPR, the District has been exploring a variety of approaches that could be used to streamline its construction and operating permit programs. In general, the draft amendments to Part 2 propose changing the way the District regulates smaller emitting sources in several categories, clarifying existing text, and removing redundant or outdated provisions.

If adopted by the Board, Regulations 2.16 version 7 and 2.17 version 4 will be submitted to the U.S. Environmental Protection Agency as an update to the District's Part 70 operating permit program.

Scope of the Draft Proposed Amendments:

The proposed revisions to Regulation 2.16 include:

- Clarifying that administrative revisions include recordkeeping changes,
- Updating the definition of "insignificant" and "trivial activities," and
- Editing spelling and usage conventions for consistency.
- Clarifying and streamlining section 5.3.4, which requires the District to notify a Title V source of the upcoming expiration of its operating permit and the requirement to submit a timely and complete renewal application.

The proposed revisions to Regulation 2.17 include the following:

- Adding "insignificant" and "trivial activities" to application procedures,

- Moving the five-year permit term from Regulation 2.08 to a new section 3.8,
- Clarifying that section 8.1 applies to proposed applications as well as the proposed permits, and
- Editing spelling and usage conventions for consistency.

Estimated Costs and Savings:

There are no costs or savings associated with the draft revisions to Regulation 2.16 or 2.17.

Feasibility of All Alternatives:

Although the District considered not amending Regulation 2.16 or 2.17, the proposed changes are necessary to implement the District's Part 2 permit improvements, including changes to Regulation 2.08.

Comparison with Any Minimum or Uniform Standards:

The proposed revisions are consistent with the District's permitting program for Title V and FEDOOP sources and the Clean Air Act.

Report on Public Outreach Efforts:

Draft proposed Regulations 2.16 and 2.17 were proposed for informal external review on December 10, 2012 and formal public comment on February 20, 2013, and sent to: all members of the Air Pollution Control Board; all persons who have requested to be notified of proposed changes to any District regulations; EPA Region 4; and the Kentucky Division for Air Quality.

The informal public comment period ended on January 24, 2013. The public will have an opportunity to comment during the 30-day public comment period; at a meeting of the appropriate committee of the Air Pollution Control Board; and at a public hearing prior to consideration by the full Board.